

***[NO MINUTES WERE GENERATED FOR
FRIDAY, JANUARY 1, 2010,
IN OBSERVANCE OF NEW YEAR'S DAY;
AND NO MINUTES GENERATED FOR
MONDAY, JANUARY 4, 2010.]***

1

**SUPREME COURT MINUTES
TUESDAY, JANUARY 5, 2010
SAN FRANCISCO, CALIFORNIA**

S179148 E049901 Fourth Appellate District, Div. 2 **ALGER (SEAN WADE) v. S. C.
(PEOPLE)**

Petition for review & application for stay denied

S177717 D052711 Fourth Appellate District, Div. 1 **URQUHART (JOHN M.) v.
DEL MAR COUNTRY CLUB,
INC.**

The time for granting or denying review in the above-entitled matter is hereby extended to February 4, 2010.

S030402 **PEOPLE v. TULLY
(RICHARD CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the appellant's reply brief by April 1, 2010, counsel's request for an extension of time in which to file that brief is granted to March 1, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

S033901 **PEOPLE v. THOMPSON
(CATHERINE)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Gail R. Weinheimer's representation that she anticipates filing the appellant's reply brief by June 15, 2010, counsel's request for an extension of time in which to file that brief is granted to March 5, 2010. After that date, only two further extensions totaling 100 additional days are contemplated.

S035190**PEOPLE v. HOUSTON (ERIC CHRISTOPHER)**

Extension of time granted

Good cause appearing, and based upon counsel David H. Schwartz's representation that he anticipates filing the appellant's reply brief by February 26, 2010, counsel's request for an extension of time in which to file that brief is granted to February 26, 2010. After that date, no further extension is contemplated.

S043520**PEOPLE v. POWELL (CARL DEVON)**

Extension of time granted

Good cause appearing, and based upon counsel Neoma Kenwood's representation that she anticipates filing the appellant's opening brief by March 14, 2010, counsel's request for an extension of time in which to file that brief is granted to March 5, 2010. After that date, only one further extension totaling ten additional days is contemplated.

S045423**PEOPLE v. SANCHEZ-FUENTES (EDGARDO)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Sara Theiss's representation that she anticipates filing the appellant's opening brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to March 5, 2010. After that date, only three further extensions totaling 180 additional days are contemplated.

S048763**PEOPLE v. NELSON (SERGIO DUJUAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing the appellant's reply brief by December 6, 2010, counsel's request for an extension of time in which to file that brief is granted to March 5, 2010. After that date, only five further extensions totaling about 270 additional days will be granted.

S049626**PEOPLE v. HAJEK (STEPHEN EDWARD) & VO (LOI TAN)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Alison Pease's representation that she anticipates filing appellant Stephen Edward Hajek's reply brief by December 15, 2010, counsel's request for an extension of time in which to file that brief is

granted to March 5, 2010. After that date, only five further extensions totaling about 280 additional days are contemplated.

S049741

**PEOPLE v. SUFF (WILLIAM
LESTER)**

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey J. Gale's representation that he anticipates filing the appellant's reply brief by January 22, 2010, counsel's request for an extension of time in which to file that brief is granted to January 22, 2010. After that date, no further extension is contemplated.

S062259

**PEOPLE v. SCULLY
(ROBERT WALTER)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Margot Garey's representation that she anticipates filing the appellant's opening brief by September 2010, counsel's request for an extension of time in which to file that brief is granted to March 1, 2010. After that date, only three further extensions totaling about 190 additional days are contemplated.

S085578

**PEOPLE v. MCDOWELL, JR.,
(CHARLES EDWARD)**

Extension of time granted

Good cause appearing, and based upon counsel Tamara P. Holland's representation that she anticipates filing the appellant's reply brief by August 2010, counsel's request for an extension of time in which to file that brief is granted to March 12, 2010. After that date, only three further extensions totaling about 150 additional days are contemplated.

S090499

**PEOPLE v. LIVINGSTON
(DAVID JAMES)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file respondent's brief is extended to March 5, 2010.

S094890

**PEOPLE v. MANIBUSAN
(JOSEPH KEKOA)**

Extension of time granted

Good cause appearing, and based upon counsel David S. Adams's representation that he anticipates filing the appellant's opening brief by June 2010, counsel's request for an extension of

time in which to file that brief is granted to February 22, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S097558

**PEOPLE v. GARTON (TODD
JESSE)**

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey Gale's representation that he anticipates filing the appellant's opening brief by October 2010, counsel's request for an extension of time in which to file that brief is granted to February 22, 2010. After that date, only four further extensions totaling about 240 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S102166

**PEOPLE v. SIMON
(RICHARD NATHAN)**

Extension of time granted

Good cause appearing, and based upon counsel Kimberly J. Grove's representation that she anticipates filing the appellant's opening brief by March 5, 2010, counsel's request for an extension of time in which to file that brief is granted to March 5, 2010. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed not later than 30 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S120382

**PEOPLE v. SANCHEZ
(VINCENT HENRY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 5, 2010.

S122460

**MAURY (ROBERT EDWARD)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael Laurence's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by February 3, 2010, counsel's request for an extension of time in which to file that document is granted to February 3, 2010. After that date, no further extension is contemplated.

S140140**ELLIOT (MICHAEL LEE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Stephanie A. Mitchell's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by January 26, 2010, counsel's request for an extension of time in which to file that document is granted to January 26, 2010. After that date, no further extension is contemplated.

S151243**TOBIN (CHRISTOPHER
ALLAN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Margot Garey's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by June 2010, counsel's request for an extension of time in which to file that document is granted to March 1, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S160915**COOK (JOSEPH LLOYD) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Arlene A. Sevidal's representation that she anticipates filing the informal response by March 31, 2010, counsel's request for an extension of time in which to file that document is granted to February 25, 2010. After that date, only one further extension totaling about 30 additional days is contemplated.

S170966**ALFARO (MARIA DEL
ROSIO) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Craig A. Harbaugh's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 10, 2010, counsel's request for an extension of time in which to file that document is granted to March 12, 2010. After that date, only two further extensions totaling about 120 additional days are contemplated.

S173860

B202997 Second Appellate District, Div. 8

**DICON FIBEROPTICS, INC.
v. FRANCHISE TAX BOARD**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to February 15, 2010.

S175275**ABEL (JOHN CLYDE) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney Holly D. Wilkens's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by August 6, 2010, counsel's request for an extension of time in which to file that document is granted to March 8, 2010. After that date, only three further extensions totaling about 150 additional days are contemplated.

S175356

E046579 Fourth Appellate District, Div. 2

**PEOPLE v. MARTIN (LOUIS
LAMBERT)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the Appellant's Opening Brief on the Merits is extended to January 20, 2010.

S178301

H034541 Sixth Appellate District

**SUBIA (FRANK MIKE) ON
H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to January 15, 2010.

No further extensions of time will be contemplated.

S178504**DALTON (KERRY LYNN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy Attorney General Holly D. Wilkens's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by September 8, 2010, counsel's request for an extension of time in which to file that document is granted to March 8, 2010. After that date, only three further extensions totaling about 180 additional days are contemplated.

S176574

F056729 Fifth Appellate District

**PEOPLE v. VILLALOBOS
(RAMIRO)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Grace Suarez is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date of this order.

S176983 E047015 Fourth Appellate District, Div. 2 **PEOPLE v. ENGRAM**
(TERRION MARCUS)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Susan S. Bauguess is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S177046 D052885 Fourth Appellate District, Div. 1 **PEOPLE v. LOPEZ**
(VIRGINIA HERNANDEZ)

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Janice R. Mazur is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S078895 **PEOPLE v. SIVONGXXAY**
(VAENE)

Order filed

Due to clerical error, the order filed in the above matter on November 6, 2009, is amended to read as follows:

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to January 8, 2010.

1010143-10

The HONORABLE VANCE W. RAYE, Associate Justice of the Court of Appeal, Third Appellate District, is hereby assigned to assist the Supreme Court, as a justice thereof, on January 5, 2010, and until completion and disposition of all causes and matters submitted pursuant to this assignment including, if necessary by reason of a vacancy or disqualification of a Supreme Court justice, petitions for rehearing arising out of such causes and matters.

**SUPREME COURT MINUTES
TUESDAY, JANUARY 5, 2010
SAN FRANCISCO, CALIFORNIA**

The Supreme Court of California convened in the courtroom of the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on Tuesday, January 5, 2010, at 1:30 p.m.

Present: Chief Justice Ronald M. George, presiding, and Associate Justices Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan.

Officers present: Frederick K. Ohlrich, Clerk, and Gail Gray, Calendar Coordinator.

S166221 In re the Marriage of Gordon Albert Sonne and Theresa Lynn Sonne.

Gordon Albert Sonne, Appellant,
v.
Theresa Lynn Sonne, Appellant.

Cause called. Robert A. Roth argued for Appellant Gordon Albert Sonne.
Bernard N. Wolf argued for Appellant Theresa Lynn Sonne.

Mr. Roth replied.
Cause submitted.

S167716 In re David V., a Person Coming Under the Juvenile Court Law.

The People, Plaintiff and Respondent,
v.
David V., Defendant and Appellant.

Cause called. John A. Colucci, Court-appointed Counsel, argued for Appellant.
David Zarmi, Office of the Attorney General, argued for Respondent.

Mr. Colucci replied.
Cause submitted.

S060500

The People, Respondent,

v.

Jonathan Daniel D'Arcy, Appellant.

Cause called. Jerry D. Whatley, Court-appointed Counsel, argued for Appellant.

Gary Brozio, Office of the Attorney General, argued for Respondent.

Mr. Whatley replied.

Cause submitted.

Court recessed until Wednesday, January 6, 2010, at 9:00 a.m.